

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

METROPOLITAL LIFE INSURANCE
COMPANY,

Plaintiff,

Civil Action No.
11-CV-12612

vs.

HON. MARK A. GOLDSMITH

DENNIS BURNS, et al.,

Defendants.

**ORDER ACCEPTING AND ADOPTING THE REPORT AND RECOMMENDATION
DATED JANUARY 23, 2012 and GRANTING DEFENDANT DEBORAH BURNS'
MOTION FOR SUMMARY JUDGMENT**

This matter is presently before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge R. Steven Whalen, issued on January 23, 2012. The Magistrate Judge recommends that Defendant Deborah Burns’ motion for summary judgment be granted and that the funds remaining in the Registry of the Court (\$2,892.92 plus any interest) be released by check made payable to Deborah Burns and Baldwin Legal Services PLLC, jointly. No party has filed objections to the R&R, and the time to do so has expired. Thus, any further right to challenge the recommendations reached by the Magistrate Judge is waived. Thomas v. Arn, 474 U.S. 140, 155 (1985). In any event, the Court has reviewed the R&R and finds that the Magistrate Judge has reached the correct result for the correct reasons.

Accordingly, the Magistrate Judge’s R&R dated January 23, 2012 (Dkt. 34) is accepted and adopted as the findings and conclusions of the Court, and Deborah Burns’ motion for summary judgment (Dkt. 21) is granted. The Clerk of Court shall release the

funds remaining in the Registry of the Court by check made payable to Deborah Burns and Baldwin Legal Services PLLC, jointly. This order closes the case.

SO ORDERED.

Dated: February 8, 2012
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 8, 2012.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager